

TO: WHOM IT MAY CONCERN

FROM: (b) (6), (b) (7)(C)

6/3/2015

RE: BORDER PATROL

If you can please help me, and/or
give me the resources that can, I
would greatly appreciate it
Thank you for your time!

Sincerely,

(b) (6), (b) (7)(C)

Total Number of pages - 15

Please provide a brief description of your problem:

①

Dear Congresswoman Martha McSally:

I was pulled over by the US Border patrol, when leaving Sasabe, after my friend paid & used the bathroom there. I was pulled over by 8 US Border Patrol. One approached my side, running with his hand on gun. My hands were both clearly in sight on the steering wheel. I was asked why I was being pulled over - they responded - "Immigration Status" ~~25-30 min later~~ I asked the BP who approached my side aggressively - was it necessary for him to be so aggressive with my hands in clear sight? He replied do I have a problem with it? I responded if it's just for Immigration Status, yes I do. 25-30 min later they asked me to pop my trunk. I willingly

Sincerely,

Print Name

Date

Please provide a brief description of your problem:

(2)

Dear Congresswoman Martha McSally:

did so. There was no reason for me not to. 15 min. later they asked me & my two friends to step out of the car & that we were being arrested. We asked for what? They said they were just back up & they could answer us, we would find out at the station. I wasn't able to retrieve my purse out of car or anything. We were processed, detained, & about 12 hrs later we were told we were being arrested for Conspiracy of transportation of Narcotics 1 1/2 hrs. later we were then read our miranda rights & interviewed separately. I asked what was to happen next? They said we would be going to court in the morning. They woke me up 3 different times early morning

Sincerely,

Print Name

Date

③

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

and asked me to sign papers. They called us out in the morning. I asked if we were going to Court. The US BP told me No! we are taking you to (b) (6), (b) (7)(C) + dropping you off. Confused I asked why. They told us the DA told them there was No evidence to make a case. They dropped us off. I asked about my property & car & they gave me a number to call. A week 1/2 later I retrieved some property back but not my car. They told me the rest of my belonging in the car were thrown away. And sent me the enclosed papers for my car. I have less than 12 days to submit this paperwork. I asked about box #3. They told me if I take it to Court I have to hire my own attorney.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

1-3-2015

Date



Asset Forfeiture Office

(b) (7)(E)

Tucson, Arizona 85711

(b) (7)(E)

**U.S. Customs and
Border Protection****CERTIFIED RETURN RECEIPT REQUESTED**

May 13, 2015

(b) (6), (b) (7)(C)

Tucson, AZ 85719

Re: Case Number (b) (6), (b) (7)(C)

Dear Sir/Madam:

This is to officially notify you that U.S. Customs and Border Protection (CBP), Border Patrol, seized the property described below on May 7, 2015 at/near Tucson, Arizona.

Description of Property
Vehicle ID Number:
License Number/State:

(b) (6), (b) (7)(C)

Appraised domestic value of the property: \$1,000.00

The property was seized and is subject to forfeiture under the provisions of 49 USC 80303, for violation of 49 USC 80302. On May 7, 2015 the property was used to transport or engage in a conspiracy to transport 241.65 lbs of Marijuana, a controlled substance.

The facts available to CBP indicate that you might have an interest in the seized property. The purpose of this letter is to advise you of the options available to you concerning this seizure. Important documents are attached to this letter. Please do not ignore them. Those documents are an "Election of Proceedings" form and a "Seized Asset Claim Form." You should choose one of the options outlined below, indicate your choice on the Election of Proceedings form, and return it, and any other necessary documents, to CBP within the allotted time frame (see each option below). If you check Box 3 on the Election of Proceedings form, you will need to complete the Seized Asset Claim Form or otherwise file a complete claim for judicial forfeiture. Even if you are abandoning the property, you should complete the Election of Proceedings Form and return it to CBP.



Asset Forfeiture Office
(b) (7)(E)
Tucson, Arizona 85711
(b) (7)(E)

**U.S. Customs and
Border Protection**

NOTICE OF INTENT TO FORFEIT

May 13, 2015

Re: Case (b) (6), (b) (7)(C)

Dear Sir or Madam:

On 5/7/2015, United States Border Patrol Agents seized the below described property at/near Tucson, Arizona.

(b) (6), (b) (7)(C)

VIN: (b) (6), (b) (7)(C)

The property was seized and is subject to forfeiture under the provisions of 49 USC 80303 because an attempt was made to use the property to violate 49 USC 80302.

Pursuant to Title 19 USC 1607 and Title 19 CFR 162, U.S. Customs and Border Protection will commence administrative forfeiture proceedings by publishing on the Department of Justice website, www.forfeiture.gov, for thirty (30) consecutive days starting on 5/15/2015.

If additional information is needed, you may contact this office directly at telephone number

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Asset Forfeiture Officer

Re: Case Number

(b) (6), (b) (7)(C)

Page 2

Your options are as follows:

1. You may file a petition with this office for the remission of forfeiture within 30 days from the date of this letter in accordance with 19 U.S.C. 1618 and 19 CFR 171.11. The petition does not need to be in any specific form, but it must describe the property involved, identify the date and place of the seizure, include all the facts and circumstances which you believe warrant relief from forfeiture and must include proof of your interest in or claim to the property. All petitions and accompanying documents must be in the English language or accompanied by an English language translation. Petitions should be filed in duplicate. If you choose this option, you must check Box 1 on the Election of Proceedings form.

By completing Box 1 on the Election of Proceedings form, you are requesting administrative processing. You are requesting CBP not to begin forfeiture proceedings while your petition is pending, or to halt forfeiture proceedings if they have already commenced. However, if the matter has been referred to the United States Attorney for the institution of judicial forfeiture proceedings, your petition will be forwarded to the U.S. Attorney.

If you choose to file an administrative petition and are dissatisfied with the petition decision (initial petition or supplemental petition), you will have an additional 30 days from the date of the initial decision, or 30 days from the date of the supplemental decision, to file a claim to the property requesting a referral to the U.S. Attorney. If you do not act within these time frames, the property may be forfeited to the United States. You may also request a referral to the U.S. Attorney at any point prior to the issuance of a petition decision by filing a claim. See section 5 of this letter for information on how to file a judicial claim. If you take such action, your petition will be considered to have been withdrawn.

If you request a referral to the U. S. Attorney, or if another person asserting an interest in the same property chooses a referral to the U. S. Attorney, the matter will be referred to the U.S. Attorney who will have the authority to file a forfeiture action against the property in federal court pursuant to 18 U.S.C. 983(a)(3).

2. If the seized property is not prohibited entry into the United States, you may, within 30 days of this letter, submit an offer to pay the full appraised domestic value of the seized property accompanied by the full payment (cashier's check made payable to U.S. Customs and Border Protection) or an irrevocable letter of credit in accordance with 19 U.S.C. 1614 and 19 CFR 162.44. If CBP accepts your offer, the property will be immediately released and the payment or letter of credit will be substituted for the seized property. You may still submit a petition, offer in compromise, or request the matter be referred

Re: Case Number (b) (6), (b) (7)(C)

Page 3

to the U.S. Attorney's Office. The decision letter on your offer will provide you with the time frames for those options. All offers to pay the full appraised domestic value and accompanying documents must be in the English language or accompanied by an English language translation. They should be filed in duplicate. If you choose this option, you must check Box 1 on the Election of Proceedings form.

3. You may, within 30 days of this letter, file an offer in compromise in accordance with 19 U.S.C. 1617 and 19 CFR 161.5 and 171.31. The offer must specifically state that you are making it under the provisions of 19 USC 1617. If you are offering money in settlement of the case, you must include payment (cashier's check made payable to U.S. Customs and Border Protection) in the amount of your offer. CBP may only consider the amount of your offer and will return the full offer if it is rejected. This option may serve to delay the case. All offers in compromise and accompanying documents must be in the English language or accompanied by an English language translation. They should be filed in duplicate. If you choose this option, you should also check Box 1 on the Election of Proceedings form.

If the matter has been referred to the United States Attorney for the institution of judicial forfeiture proceedings, your offer will be forwarded to the United States Attorney.

If you choose to submit an offer in compromise and are dissatisfied with the offer decision, you will have an additional 30 days from the date of the offer decision to file a claim to the property requesting a referral to the U. S. Attorney. If you do not act within the additional 30 days, the property may be forfeited to the United States. You may also request a referral to the U. S. Attorney at any point prior to the issuance of the offer decision. If you take such action, your petition or offer will be considered to have been withdrawn.

4. You may abandon the property or state that you have no interest in it. If you choose this option, you should check Box 2 on the Election of Proceedings form. The Government may proceed with forfeiture proceedings, or address claims from other parties concerning the property, without further involving you.

5. Judicial Proceedings. You may choose to file a claim to the property with this office pursuant to 18 U.S.C. 983(a)(2) by 6/17/2015 requesting referral of this matter to the U.S. Attorney who will have the authority to file a forfeiture action against the property in federal court pursuant to 18 U.S.C. 983(a)(3). If you choose this option, you should check Box 3 on the Election of Proceedings form and FULLY COMPLETE the attached Seized Asset Claim form or otherwise submit a complete judicial claim as required by 18 U.S.C. 983(a)(2)(C).

6. You may choose to do nothing. If you take no action, this office may initiate forfeiture action.

Re: Case Number (b) (6), (b) (7)(C)

Page 4

If you are a holder of a lien or security interest and you do not file a request for judicial proceedings, as stated in option 5 above, you may avail yourself of any of the other options listed above. No relief will be granted to you until after forfeiture, unless your petition, offer or request is accompanied by an agreement to hold the United States, its officers and employees harmless, and a release from the registered owner and/or person from whom the property was seized.

No matter which box you check on the Election of Proceedings form, you should sign and return the form, along with your petition, offer, or claim (request for judicial proceedings) if those documents are necessary to support the option you chose (see explanation above of your options). A Seized Asset Claim form should only be completed, signed, and returned if you make a claim and ask for the case to be referred for judicial forfeiture (Option 3 on the Election of Proceedings form).

All correspondence should be addressed to: United States Border Patrol
Asset Forfeiture Office
(b) (6), (b) (7)(C), (b) (7)(E)
Tucson, AZ 85711

Sincerely,

(b) (6), (b) (7)(C)

Asset Forfeiture Officer

Enclosure

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION UNDER 18 U.S.C. 1001 AND/OR 18 U.S.C. 1621, AND MAY BE PUNISHABLE BY A FINE AND IMPRISONMENT.

CAFRA ELECTION OF PROCEEDINGS

NOTE: READ THE ATTACHED NOTICE OF SEIZURE AND INFORMATION FOR CLAIMANTS BEFORE YOU FILL OUT THIS FORM. THIS FORM SHOULD BE COMPLETED AND RETURNED TO CBP.

I understand that property in which I have an interest has been seized by U.S. Customs and Border Protection (CBP) under Case No. **(b) (6), (b) (7)(C)**

Check ONLY ONE (1) of the following choices:

1. ☐ I REQUEST THAT CBP CONSIDER MY PETITION OR OFFER ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED. My petition or offer is attached. By making this request, I understand that I can request, in writing, that my case be referred for judicial forfeiture proceedings at any time prior to the completion of the administrative forfeiture proceedings or as set forth in the notice of seizure. If I choose to wait for an administrative decision on my offer or petition, my deadline for filing a claim as required by 18 U.S.C. 983(a)(2)(B) is 30 days from the date of the petition decision, or, if I choose to file a supplemental petition, my deadline for filing a claim as required by 18 U.S.C. 983(a)(2)(B) is 30 days from the date of the supplemental petition. If I file a complete claim and request for judicial proceedings (see option 3, below), CBP consideration of my offer or petition will stop and the case will be sent for judicial forfeiture proceedings.
2. ☐ I ABANDON ANY CLAIM OR INTEREST I MAY HAVE IN THE PROPERTY. I understand that no additional notice about future proceedings concerning the property will be provided to me.
3. ☐ I AM FILING A CLAIM AND REQUESTING THAT CBP REFER THE CASE FOR COURT ACTION. Please send the case to the U.S. Attorney for court action. I have fully completed, signed and attached a SEIZED ASSET CLAIM FORM. I understand that if I have not fully completed this form, or otherwise made a proper claim and request for judicial forfeiture pursuant to 18 U.S.C. 983(a)(2)(C), CBP will treat my submission as a petition for relief under option 1, described above.

Name (Print)

Date

Signature

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection**SEIZED ASSET CLAIM FORM**
Request for Forfeiture Proceedings In Federal Court

IMPORTANT: This form should be used only if you want your case referred to the United States Attorneys Office to decide your case in Federal Court.

DO NOT COMPLETE THIS FORM if you want U.S. Customs and Border Protection to handle your case administratively.

Name:	Seizure No.
Address:	
Telephone No.	

INSTRUCTIONS : You must complete all three parts below.

As authorized by 18 USC 983(a)(2)(A), I request that the Government file a complaint for forfeiture in Federal Court against the seized property described below:

Part I

List all the items in which you claim an interest. Include sufficient information to identify the items, such as serial numbers, make and model numbers, aircraft tail numbers, photographs, and so forth. Use continuation sheet if more space is needed.

Part II

State your interest in each item of property listed above. Use continuation sheet if more space is needed.

Part III (ATTESTATION AND OATH)

I attest and declare *under penalty of perjury* that the information provided in support of my claim is true and correct to the best of my knowledge and belief.

Printed Name:	Signature:	Date:
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A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION UNDER 18 U.S.C. 1001 AND/OR 1621 AND IS PUNISHABLE BY A FINE AND UP TO FIVE YEARS IMPRISONMENT.



Asset Forfeiture Office

(b) (7)(E)

Tucson, Arizona 85711

(b) (7)(E)

Biographical Data Sheet**U.S. Customs and
Border Protection**

Case Number:

(b) (6), (b) (7)(C)

Petitioner's Full Name: _____

Petitioner's Telephone #: _____

Petitioner's Date of Birth: _____

Petitioner's Country of Birth: _____

Alien Registration Number: _____

Driver's License Number: _____

State _____

Social Security Number: _____

IF YOU NO LONGER OWN THIS VEHICLE, please fill out the following information and return this form to the Border Patrol Asset Forfeiture Office, (b) (7)(E) Tucson, AZ 85711.

Sold/Traded Vehicle to: _____

Date Vehicle Sold and Amount: _____

\$ _____

Buyer Address: _____

Buyer City and Zip Code: _____

**THIS FORM MUST ACCOMPANY ANY DOCUMENTATION SUBMITTED TO
THE ASSET FORFEITURE OFFICE. THIS FORM ALONE IS NOT A PETITION.**

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

OMB Control Number: 1651-0100
Expiration Date: 03/31/2015

PETITION FOR RELIEF FROM FORFEITURE

Notice : Use this form if you want U.S. Customs and Border Protection to decide your request for the release of property.

Instructions : This form (Parts I - IV) must be completed in English, signed and notarized.

In accordance with Title 8, Code of Federal Regulations, Part 274, I request U.S. Customs and Border Protection consider my petition for relief from forfeiture administratively in order to obtain the release of my property.

PART I

Seizure Case Number:

Date of Seizure:

Place of Seizure:

Full Name (First, Middle, Last)

Date of Birth (mm/dd/yyyy):

City, State, and County of Birth:

PART II

Instructions: Provide certified copies (or originals) of all bills of sale, purchase contracts, receipts, or any other documentary evidence to establish your interest in the seized property. Failure to do so may result in denial of your petition.

A. Describe the property that was seized, to include the year, make, model, and serial number or Vehicle Identification Number. Use continuation sheets if more space is needed.

B. State your interest in the seized property listed above. Are you the owner, lien holder, or otherwise? Use continuation sheets if more space is needed.

C. State the facts and circumstances, with satisfactory proof thereof, relied upon to justify relief from forfeiture. If the property was in someone else's possession at the time of seizure, please provide an explanation how it came into their possession. Use continuation sheets if more space is needed.

PART III

I swear under penalty of perjury that all of the information provided is true and correct to the best of my knowledge and belief.

Signature

Date

PART IV (Notary Public)

STATE OF

COUNTY OF

SIGNED AND SWORN TO BEFORE ME ON THIS

DAY OF

NOTARY PUBLIC

COUNTY

MY COMMISSION EXPIRES:

Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0100. The estimated average time to complete this application is 13 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW., Washington DC 20229.

Document Checklist

Use this to ensure that the proper documents are enclosed before mailing back your paperwork

If you are a filing an administrative petition then mail

- ☐ Completed and signed "CAFRA ELECTION OF PROCEEDINGS" with box #1 checked
- ☐ Completed biographical data sheet
- ☐ Copy of title or proof of ownership
- ☐ Signed and notarized petition

If you abandon any claim to the vehicle then mail or fax

- ☐ Completed and signed "CAFRA ELECTION OF PROCEEDINGS" with box #2 checked

If you no longer own this vehicle then mail or fax

- ☐ Completed biographical data sheet with the information of the new owner
- ☐ Copy of title (if available)

If you are filing a judicial claim in District Court then mail

- ☐ Completed and signed "CAFRA ELECTION OF PROCEEDINGS" with box #3 checked
- ☐ Completed and signed "SEIZED ASSET CLAIM FORM"

If you are a lien holder filing a petition then mail

- ☐ Completed and signed "CAFRA ELECTION OF PROCEEDINGS" with box #1 checked
- ☐ Signed and notarized petition
- ☐ Completed and signed financial statement
- ☐ Copy of title or proof of lien holder status
- ☐ Copy of sales contract
- ☐ Copy of payment history

MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY
CHAIRMAN
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,
RESPONSE, AND COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



UNITED STATES
HOUSE OF REPRESENTATIVES

OFO
CBP
(b) (7)(E)
C1

1029 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-2542

4400 E BROADWAY BOULEVARD
SUITE 510
TUCSON, AZ 85711
(520) 881-3588

77 CALLE PORTAL
SUITE B160
SIERRA VISTA, AZ 85635
(520) 459-3115

MCSALLY.HOUSE.GOV

June 30, 2015

The Honorable R. Gil Kerlikowske
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

Dear Commissioner Kerlikowske:

The City of Douglas, Arizona, in my district, has been attempting to secure the approval of a new Commercial Port of Entry with your Department since 2012. In coordination with the Municipality of Agua Prieta, Sonora, Mexico, the City of Douglas requires an expansion of their commercial port as a way of harnessing economic opportunities, bolstering trade, and furthering Customs and Border Protections (CBP) mission and ability to provide security.

Volume at the port of entry has experienced rapid growth in recent years. In 2014, the Douglas port of entry processed more than 64,000 commercial trucks in two-way traffic. CBP estimates that the flow of trucks represents close to \$4 billion worth of trade between the United States and Mexico. Additionally, the port processed 2.9 million cars and 2.3 million pedestrians in 2014, for a combined total of 8.3 million people in two way traffic. Truck traffic has been growing at an annualized rate of more than 5% per year since 2010.

The increased activity at the port is anticipated to continue in the next several years. However, in 2007, the U.S. General Services Administration (GSA) determined through a feasibility study, that there is needed expansion to the Douglas POE facility. In 2013, Arizona Department of Transportation (ADOT) determined that the existing Douglas POE will (b) (7)(E)

(b) (7)(E) Expansions at the facility must be made to ensure that commerce will continue in an efficient manner.

Diminishing federal budgets has tied the hands of many government agencies including the Federal Buildings Fund that GSA utilizes to construct new facilities. (b) (5), (b) (7)(E)

[REDACTED]

With this in mind, I am respectfully requesting that you outline for me the next and remaining steps in the Section 559 evaluation process, schedule, rationale and criteria that will be used to evaluate these proposals.

However, efforts to further the position and develop this project outside of the Section 559 Donation Acceptance Authority are being complicated by lengthy and bureaucratic procedures coming from your Department. Subsequently, Mexico has begun to place less emphasis on its portion of the project.

I write today to ask that you inform me and representatives from the City of Douglas as to how they take the next step in this vital project. The City of Douglas is prepared to undertake any all reasonable financing risks to include the issuance of bonds as clearly this project is the life breath for the Douglas community and the region. Additionally, I would like to obtain a copy of the five year construction in process plan for both CBP and the GSA. (b) (5), (b) (7)(E)

Please explain how CBP, GSA, and Office of Management and Budget (OMB) analyze criteria used to prioritize these types of projects. If I can be of further assistance I am happy to meet with you to discuss how I can advance this critical matter. I look forward to your timely response.

Sincerely,



Martha McSally
Member of Congress



**U.S. Customs and
Border Protection**

NOV 04 2015

The Honorable Martha McSally
U.S. House of Representatives
4400 East Broadway Boulevard, Suite 510
Tucson, AZ 85711

Dear Representative McSally:

This letter is in response to your October 16, 2015, correspondence on behalf of your constituent, (b) (6), (b) (7)(C) requesting that U.S. Customs and Border Protection (CBP) reconsider the denial of her Global Entry application.

Global Entry is a voluntary program available to persons who pass a comprehensive background check and have no derogatory criminal history. Applicants may not qualify for participation in the Global Entry program if they:

- provide false or incomplete information on the application;
- have been convicted of any criminal offense or have pending criminal charges to include outstanding warrants;
- have been found in violation of any Customs, Immigration, or Agriculture regulations or laws in any country;
- are subjects of an investigation by any federal, state, or local law enforcement agency;
- are inadmissible to the United States under Immigration regulation, including applicants with approved waivers of inadmissibility or parole documentation; or,
- cannot satisfy CBP of their low-risk status or meet other program requirements.

Our records indicate that (b) (6), (b) (7)(C) application for membership in the Global Entry program was denied on June 22, 2015. At her request, the CBP Ombudsman reviewed the denial on October 22, 2015, and determined that no change was warranted. CBP regrets that further reconsideration cannot be granted. However, being denied from participating in the Global Entry program does not prohibit (b) (6), (b) (7)(C) from being able to travel.

The Honorable Martha McSally

Page 2

If you should need further assistance, please contact my office at (b) (6), (b) (7)(C)

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Yeager", with a long horizontal flourish extending to the right.

Michael J. Yeager
Assistant Commissioner
Office of Congressional Affairs



**U.S. Customs and
Border Protection**

SEP 08 2016

The Honorable Martha McSally
U.S. House of Representatives
4400 East Broadway Blvd., Suite 510
Tucson, AZ 85711

Dear Representative McSally:

This is in response to your July 12, 2016, correspondence on behalf of your constituent, (b) (6), (b) (7)(C) regarding the status of his pre-employment polygraph examination with U.S. Customs and Border Protection (CBP).

CBP is strongly committed to hiring veterans for positions throughout the agency. At the end of Fiscal Year 2015, 28.83 percent of CBP employees are veterans, including 30.76 percent of all new hires Agency wide. These statistics demonstrate our commitment to hiring veterans to fill critical positions throughout the workforce.

Federal law requires a polygraph screening for all applicants in positions such as law enforcement officers at CBP. The U.S. Office of Personnel Management provides annual authorization to CBP's Office of Professional Responsibility (OPR) to conduct applicant screening polygraph examinations for CBP law enforcement officer positions. The examination administered to CBP applicants is approved by the National Center for Credibility Assessment. CBP OPR administers polygraph examinations in full compliance with all applicable federal polygraph policies and procedures.

On March 3, 2016, (b) (6), (b) (7)(C) did not successfully complete the polygraph test. Within days of his failure, (b) (6), (b) (7)(C) contacted the Assistant Special Agent in Charge of Quality Control for the Credibility Assessment Division to express his objections. Consequently, in addition to the standard Quality Control review process, a full audio review of the test was immediately conducted.

The audio review did not substantiate any claims by (b) (6), (b) (7)(C) regarding his allegations of unprofessional conduct on behalf of the examiner. The examiner maintained his professionalism and composure throughout the exam. Quality Control reviewed the physiology recorded during the test. This independent review supported the results rendered by the field examiner and confirmed the polygraph test was administered in accordance with all policies and procedures. The audio review did detect noise in the background coming from the adjacent office, but it was determined not to have any effect on the outcome of the examination.

The Honorable Martha McSally

Page 2

(b) (6), (b) (7)(C) was granted the opportunity to take an additional polygraph test. On April 27, 2016, (b) (6), (b) (7)(C) declined the opportunity to take another polygraph examination with a different examiner. Given (b) (6), (b) (7)(C) decision, the results of the polygraph test administered on March 3, 2016, must stand.

On June 16, 2016, CBP's Indianapolis Hiring Center sent a letter stating that (b) (6), (b) (7)(C) failed a second polygraph examination. This letter was sent in error, which we regret.

Polygraph tests administered by state and local examiners do not meet the same federal standards, including federal Quality Control standards such as participating in biennial inspections. The two local polygraph tests in which (b) (6), (b) (7)(C) previously submitted are not comparable to a federal polygraph test in any regard.

Since 2013, CBP has conducted over 23,000 polygraph tests on law enforcement applicants. Of this number, over 72 percent of these applicants made admissions pertaining to crimes against persons, crimes against property, or involvement in the purchase, sale, distribution, or use of illegal drugs. Prior to the polygraph test, these criminal admissions were concealed from CBP.

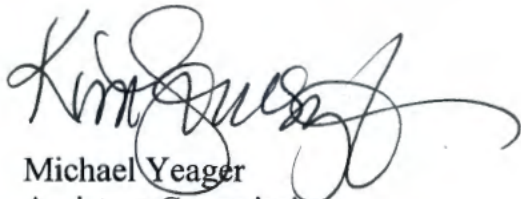
If (b) (6), (b) (7)(C) has any further questions regarding CBP polygraphs, he may address them directly to (b) (7)(E)

If (b) (6), (b) (7)(C) would like your office to receive additional details, including any relevant admissions or other information used to make this determination please provide a signed privacy release which explicitly states: "I authorize Customs and Border Protection to release the results of my polygraph examination and background investigation, including all relevant admissions and other factors used to make a suitability determination to the office of Congresswoman McSally."

CBP remains committed to hiring veterans and will continue to work with Congress, the Department of Defense, and other relevant Agencies to maximize opportunities for this valued population.

If you should need further assistance, please contact my office at (b) (6), (b) (7)(C)

Sincerely,



Michael Yeager
Assistant Commissioner
Office of Congressional Affairs



**U.S. Customs and
Border Protection**

SEP 13 2016

The Honorable Martha McSally
4400 East Broadway, Suite 510
Tucson, AZ 85711

Dear Representative McSally:

This is in response to your August 12, 2016, letter on behalf of your constituent, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) regarding the overpayment of his Federal Employee Health Benefits (FEHB) premiums as an employee with U.S. Customs and Border Protection (CBP).

The overpayment occurred when (b) (6), (b) (7)(C) served on military duty from January 10 to June 11, 2016. CBP cancels FEHB deductions when employees serve on military duty. Due to an administrative oversight, (b) (6), (b) (7)(C) deductions continued.

On August 15, 2016, CBP's Indianapolis Hiring Center (IHC) informed (b) (6), (b) (7)(C) that all FEHB deductions during the time he served on military duty would be canceled, and his health benefits would be re-entered into the system effective June 12, 2016, the day he returned to duty with CBP.

On August 30, 2016, the IHC submitted a request for reimbursement through the (b) (7)(E) (b) (7)(E). We are pleased to inform you that within two pay periods, (b) (6), (b) (7)(C) will receive a refund for all FEHB premiums deducted during the time he served on military duty.

If you should need further assistance, please contact my office at (b) (6), (b) (7)(C)

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Yeager", with a large, stylized flourish extending from the end of the signature.

Michael J. Yeager
Assistant Commissioner
Office of Congressional Affairs



**U.S. Customs and
Border Protection**

MAR 15 2017

The Honorable Martha McSally
U.S. House of Representatives
4400 East Broadway Blvd, Suite 510
Tucson, AZ 85711

Dear Representative McSally:

This letter is in response to your February 1, 2017, correspondence on behalf of your constituent, (b) (6), (b) (7)(C) regarding his pre-employment polygraph examination with U.S. Customs and Border Protection (CBP).

Federal law requires polygraph screening for all applicants to law enforcement positions at CBP. The U.S. Office of Personnel Management provides annual authorization to CBP's Office of Professional Responsibility (OPR) to conduct applicant screening polygraph examinations for CBP law enforcement officer positions. The examination administered to CBP applicants is approved by the National Center for Credibility Assessment. CBP OPR administers polygraph examinations in full compliance with all applicable federal polygraph policies and procedures.

On November 28, 2016, (b) (6), (b) (7)(C) did not successfully complete the polygraph test. (b) (6), (b) (7)(C) was afforded an opportunity to discuss and explain any concerns with all test topics both before and after this examination. Prior to the test, (b) (6), (b) (7)(C) stated the following:

During 2007, (b) (6), (b) (7)(C) was involved in a physical altercation in which he brandished a firearm. However, in 2012 (b) (6), (b) (7)(C) denied brandishing the weapon when questioned by investigators during a pre-employment background investigation for (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) confessed his lack of candor to police investigators and was subsequently removed from the (b) (6), (b) (7)(C) hiring process. This misrepresentation of facts during an investigation was also a factor in (b) (6), (b) (7)(C) unsuccessful attempts to gain employment as a sworn officer with the (b) (6), (b) (7)(C) in 2012 and 2015. And although he was instructed in writing not to do so, (b) (6), (b) (7)(C) carried a personal firearm to the CBP polygraph test facility. (b) (6), (b) (7)(C) locked the firearm in his car during the polygraph test. After the test, (b) (6), (b) (7)(C) failed to provide any plausible explanation for the unsuccessful test results.

In compliance with federal regulation, a secondary review of the polygraph examination was independently conducted by Quality Control. This review supported the results rendered by the field examiner and confirmed the polygraph test was administered in accordance with all policies and procedures. The test was administered in compliance with all applicable guidelines. No basis for appealing the test results was established. Under these circumstances, agency policy prohibits further polygraph testing. (b) (6), (b) (7)(C) failed to meet a requirement for employment at CBP.

The Honorable Martha McSally
Page 2

If you should need further assistance, please contact my office at (b) (6), (b) (7)(C)

Sincerely,

A handwritten signature in black ink, appearing to read "Kim M. Lowry", with a long, sweeping horizontal flourish extending to the right.

Kim M. Lowry
Acting Assistant Commissioner
Office of Congressional Affairs

(b) (7)(E)

NOV 30 2017

U.S. Customs and
Border Protection

The Honorable Martha McSally
U.S. House of Representatives
4400 E. Broadway, STE 510
Tucson, AZ 85711

Dear Representative McSally:

Thank you for your letter on behalf of your constituent, (b) (6), (b) (7)(C) regarding his claim for damages to his vehicle sustained in an accident with a Government vehicle. U.S. Customs and Border Protection (CBP) received the claim from (b) (6), (b) (7)(C) on May 1, 2017, the total claim was for \$2,878, which included \$2,378 for damages and \$500 for (b) (6), (b) (7)(C) deductible.

Although CBP received the claim on May 1, 2017, it did not include an authorization from (b) (6), (b) (7)(C) allowing (b) (6), (b) (7)(C) to claim his deductible. After investigating the claim, CBP requested proof from the insurance company that (b) (6), (b) (7)(C) gave permission for CBP to pay the deductible to (b) (6), (b) (7)(C) rather than to (b) (6), (b) (7)(C). CBP received authorization on November 20, 2017. Upon receipt of the authorization, CBP drafted their recommendation on settlement. These claims are processed by our National Finance Center in Indianapolis, Indiana. It is currently under review and we anticipate a decision will be made shortly.

As always, my staff and I are available to answer any questions you may have.

Sincerely,

(b) (6), (b) (7)(C)

RK Rodolfo Karisch
Chief Patrol Agent
Tucson Sector



U.S. Customs and
Border Protection

SEP 20 2017

Commissioner

The Honorable Martha McSally
Chairwoman
Subcommittee on Border and Maritime Security
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman McSally:

Thank you for your June 30, 2017 letter. Acting Secretary Duke asked that I respond on her behalf. The Acting Secretary's staff will reach out to your staff to coordinate a visit to your district if her schedule permits.

U.S. Customs and Border Protection (CBP) is responsible for identifying the necessary combination of personnel, infrastructure, and technology to provide persistent surveillance and enhance domain awareness along the United States-Mexico international border at and between our ports of entry. Thanks to the support of the United States Congress, CBP has been able to make increased investments throughout the Tucson Sector.

Technology investments and deployments throughout Tucson Sector is utilized to detect, identify, classify, and track activity along the entire international border and assist the U.S. Border Patrol (USBP) in efficient operations to detect aliens attempting to illegally enter the United States or evade apprehension following entry. Additionally, the Tucson Sector has deployed a wide array of tactical infrastructure in order to dramatically reduce the number of incursions by vehicles laden with drugs and/or people. Prior to the deployment of tactical infrastructure and technology, Transnational Criminal Organizations would exploit numerous areas along the international border and pose great danger to the public.

(b) (7)(E)

(b) (7)(E)

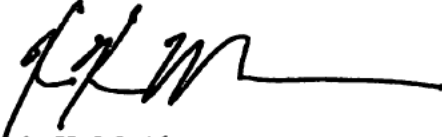
(b) (7)(E)

In addition to collaborating with others, CBP continues to innovate and invest in technology to improve efficiency at the port. (b) (7)(E) northbound has been implemented at Douglas and, as of May 29, 2017, (b) (7)(E) has been expanded to include southbound commercial traffic. (b) (7)(E) has greatly reduced delays at the border, and the addition of (b) (7)(E) to southbound operations will further increase efficiency. CBP has also implemented wireless solutions. This allows CBP to assign officers to the most advantageous locations on the port, better facilitating the flow of international traffic.

I share your interest in modernizing our infrastructure to support the legal facilitation of travel and commerce through our Nation's borders, and in particular southern Arizona. I look forward to continuing our work together to ensure the security of our southern border at and between all ports of entry.

Should you need further assistance, please do not hesitate to contact my office at (b) (6), (b) (7)(C).

Sincerely,

A handwritten signature in black ink, appearing to read 'K. McAleenan', followed by a long horizontal line.

Kevin K. McAleenan
Acting Commissioner

(b) (7)(E)



**U.S. Customs and
Border Protection**

OCT 26 2015

Commissioner

The Honorable Martha McSally
U.S. House of Representatives
Washington, DC 20515

Dear Representative McSally:

Knowing of your interest in and leadership on issues of veterans hiring, I write to you to outline U.S. Customs and Border Protection's (CBP) efforts to recruit and hire veterans and separating service members.

CBP is committed to recruiting and employing qualified veterans. We value their experience and dedication to service, as well as the skills and abilities they bring to the job. We actively recruit veterans for CBP's frontline law enforcement positions, as well as other operational and mission support occupations. In our current workforce of nearly 60,000 employees, veterans number over 17,100, or 28.8 percent of CBP's workforce. Disabled veterans total over 3,400 and represent 5.8 percent of employees. From Fiscal Year (FY) 2010 to FY 2014, about one in four new hires were veterans. For FY 2015, veterans accounted for 31.3 percent of all new hires. This included 288 veterans hired for frontline CBP Officer, Border Patrol Agent, Air Interdiction Agent, and Marine Interdiction Agent positions, and 405 veterans hired for operational and mission support positions.

Our recruitment and outreach initiatives include efforts that specifically target veterans and separating service members. These include participation in recruitment events, attendance at national conferences, visits to military installations, and partnering with organizations that help veterans transition from military service. These efforts, as well as our printed materials, radio, and other media marketing, convey information concerning CBP's mission, occupational and career opportunities, and current job openings. Our CBP Careers webpage includes content directed toward veterans as well as additional information on the hiring process, qualification requirements, and an e-mail address (CBPvets@cbp.dhs.gov) for veterans to send questions concerning CBP employment to our Veterans Program Manager.

CBP uses the Veterans' Recruitment Appointment, which allows agencies to non-competitively hire qualified veterans who meet certain eligibility requirements. This and other tools enable us to recruit and quickly bring veterans into positions that could otherwise take many months to fill. CBP also employs qualified veterans as interns

under the Department of Defense (DoD) Operation Warfighter (OWF) and the Veterans Administration's Non-Paid Work Experience (NPWE) programs. CBP currently has 14 OWF and 26 NPWE interns; an additional 34 NPWE interns are completing background investigations before beginning their internships. These programs help service members gain work experience that can lead to a permanent position and/or assist in the transition to civilian life.

Some of our recent initiatives and plans that build upon our efforts to recruit and hire veterans include the following:

- Establishing a National Frontline Recruitment Command (NFRC) to coordinate frontline outreach and recruitment efforts. The NFRC includes staff dedicated to the recruitment of veterans and transitioning service members. These staff members coordinate with our field offices on recruitment initiatives and efforts to build relationships with organizations that work with veterans and those transitioning from military service.
- Attending transition summits hosted by the U.S. Chamber of Commerce and DoD. We are also increasing the number of visits to DoD transition centers to share information concerning CBP career opportunities, occupations, and job openings.
- Establishing a number of relationships with DoD at specific bases across the country. We are currently piloting a streamlined hiring process for the onboarding of veterans into the CBP Officer occupation at Joint Base Lewis-McChord. I am very encouraged about this pilot and look forward to seeing how we can develop this going forward.
- Coordinating with DoD to explore the feasibility of shared services and/or reciprocity for several of CBP's preemployment processes, which will expedite the hiring process for veterans. We are also exploring the potential of establishing recruitment and hiring centers on military installations, and the best way to engage service members concerning CBP employment opportunities six months to two years before the conclusion of their military service.

I would like briefly to provide you with a status update of our efforts to hire the 2,000 new CBP officers appropriated by Congress. Over the last two years, we have hired a net total of nearly 1,200 officers; however, more needs to be done. CBP continues to leverage resources within the Department and the Federal government for assistance in transforming our frontline hiring process. We have realized changes that have allowed us to increase our internal capacity to onboard new CBP Officers, reduce the cycle time to process applicants, and improve the overall effectiveness of the hiring lifecycle. In addition, we have developed some innovative solutions and initiatives to improve the

The Honorable Martha McSally

Page 3

frontline hiring process for CBP officers and agents. We have piloted a hiring hub concept that integrates and consolidates many of the hiring processes into a two-day timeframe. We have piloted this concept during the month of August, and the initial findings are very positive. I intend to implement hiring hubs throughout FY 2016.

If you would like additional information regarding any of the initiatives or programs I have outlined, please contact me or have your staff contact Michael Yeager, Assistant Commissioner, Office of Congressional Affairs, at (b) (6), (b) (7)(C)

Sincerely,



R. Gil Kerlikowske
Commissioner

(U.S. Army active duty 70-72,
reserves 72-73)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, May 20, 2016 12:06 PM
To: CBPEXECSEC
Cc: OCAINQUIRY
Subject: FW: Incoming Correspondence 05-17-2016 MCSALLY (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C) DOCS.04.29.16.pdf

OES,
Please provide an official response to the attached incoming.
Thanks,

(b) (6), (b) (7)(C)

Office of Congressional Affairs
U.S. Customs and Border Protection

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Tuesday, May 17, 2016 1:26 PM
To: OCAINQUIRY (b) (7)(E)
Subject: (b) (6), (b) (7)(C)

Dear Congressional Representative,

(b) (6), (b) (7)(C) has contacted our office regarding a recent application with your department. (b) (6), (b) (7)(C) states that after a background check was completed on him, his tentative offer of employment was withdrawn. (b) (6), (b) (7)(C) states that he contacted OPM in order to acquire the results of the background check but (b) (6), (b) (7)(C) states that he was referred to OPR within CBP. Any assistance you can provide on behalf of (b) (6), (b) (7)(C) would be greatly appreciated.

Sincerely,

(b) (6) MSW

Director of Constituent Services
U.S. Rep. Martha McSally
Arizona's 2nd Congressional District
4400 E. Broadway Blvd Suite 510
Tucson, AZ 85711
Office Phone: 520-881-3588

(b) (6)



[Sign up for our e-newsletter](#)



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Federal Investigative
Services

April 29, 2016

(b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

This is in reference to your request for a copy of all your Investigations and Standard Forms. Your request was received in this office on April 26, 2016.

A search of our records shows an investigation is still in progress. Once the investigation is closed, we will forward the requested material to you.

We suggest you contact our office should your mailing address change prior to the receipt of the requested material: (b) (7)(E)

If you have any questions regarding this response, contact the Freedom of Information/Privacy Act office at (b) (6) extension (b) (6) please reference tracking number (b) (6), (b) (7)(C)

Sincerely,

(b) (6)

FOI/PA Technician

(b) (7)(E)

Subject: Suitability Non-vet Response after Notification (b) (6), (b) (7)(C)

From: (b) (7)(E)

To: (b) (6), (b) (7)(C)

Date: Wednesday, April 20, 2016 1:06 PM

Applicant ID: (b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

The decision to withdraw your tentative offer of employment is final. A higher level review has been completed and the determination that you do not meet the suitability requirements for this position remains.

If you would like further information about the specifics relating your suitability determination you may submit a request under the Freedom of Information Act (FOIA). For more information on the CBP FOIA Request process, please visit <http://www.cbp.gov/site-policy-notices/foia>.

Office of Human Resources Management
Minneapolis Hiring Center

Subject: Suitability Non-vet Response after Notification (b) (6), (b) (7)(C)

From: (b) (7)(E)

To: (b) (6), (b) (7)(C)

Date: Wednesday, April 20, 2016 1:39 PM

Applicant ID: (b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

The decision to withdraw your tentative offer of employment is final. A higher level review has been completed and the determination that you do not meet the suitability requirements for this position remains.

If you would like further information about the specifics relating your suitability determination you may submit a request under the Freedom of Information Act (FOIA). For more information on the CBP FOIA Request process, please visit <http://www.cbp.gov/site-policy-notices/foia>.

Office of Human Resources Management
Minneapolis Hiring Center

MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN

SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS, RESPONSE AND
COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1030 Longworth BUILDING
WASHINGTON, DC 20515
(202) 225-2542

DISTRICT OFFICES:
TUCSON OFFICE
4400 E. BROADWAY STE 510
TUCSON, AZ 85711
(520) 881-3588

COCHISE COUNTY OFFICE
77 CALLE PORTAL, SUITE B-160
SIERRA VISTA, AZ 85635
(520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.) (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C) City, State: (b) (6), (b) (7)(C) Zip: (b) (6), (b) (7)(C)

Phone Number: (b) (6), (b) (7)(C) E-mail Address: (b) (6), (b) (7)(C)

Federal Agency Involved: CBP Social Security Number: (b) (6), (b) (7)(C)

Date and Place of Birth: (b) (6), (b) (7)(C)

Have you contacted another congressional office? Yes: No X Who?

(For USCIS) Immigration Case Number / A#:

(For IRS) Tax Return Year (s) in Question:

(For OPM) Civil Service Claim Number:

(For VA/Military) Veterans Affairs Claim Number:

Branch of service: Military Rank: Dates of service: -

SIGNATURE: (b) (6), (b) (7)(C) Date: 5/10/16

****Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case****

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I applied for the positions "Border Patrol Agent" and "CBP Officer" last year. After a long process that involved tests, exams, and interviews, I was finally on to the background investigation. A few weeks into the investigation I was notified I did not meet the suitability requirements. This notification stated my tentative offer of employment is therefore being withdrawn. In response, I filed a FOIA to OPM. I was notified shortly through OPM that a background investigation is still ongoing. I contacted OPM via phone and was directed to OPR in CBP. I have been very constant in my efforts to get this information disclosed. I greatly appreciate any assistance in this process.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

5/10/16

Date

(b) (6), (b) (7)(C)

From: CBPEXECSEC
Sent: Thursday, August 20, 2015 1:23 PM
To: (b) (6), (b) (7)(C)
Cc:
Subject: FW: Incoming Correspondence: Inquiry from Rep. McSally AZ02
Attachments: (b) (6), (b) (7)(C)PAC and letter.pdf

(b) (6), (b) (7)(C)

Please create folder and assign to IA. (b) (6), (b) (7)(C) has agreed to assist you, if needed.

Thank you both.

From: (b) (6), (b) (7)(C) On Behalf Of OCAINQUIRY
Sent: Thursday, August 20, 2015 2:07 PM
To: CBPEXECSEC
Cc: OCAINQUIRY
Subject: Incoming Correspondence: Inquiry from Rep. McSally AZ02

OES,

Please provide an official response to the attached inquiry. Thanks!

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs, U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W.

(b) (6), (b) (7)(C)

Washington, D.C. 20229

(b) (6), (b) (7)(C) (office)

(Blackberry)

(fax)

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Friday, August 14, 2015 12:45 PM
To: OCAINQUIRY
Subject: Inquiry from Rep. McSally AZ02

Dear Congressional Liaison,

I am writing on behalf of constituent, (b) (6), (b) (7)(C), who is concerned about his denial of employment by Customs and Border Protection. The constituent stated he was given a faulty polygraph test and would like the opportunity to retake the polygraph test. The following are the words of the constituent, taken from an email sent by (b) (6), (b) (7)(C) to the CBP Human Resources department on Thursday, July 9, 2015:

"I wish to contest the polygraph. I was completely forthright in my examination and feel that this is a technical issue and not an issue of my honesty. I was not comfortable with the way the test was conducted and I am

requesting reconsideration or a re-test. I feel that I would be an asset to CBP and that the test itself is not reliable. I can provide character statement letters to certify my honesty and integrity, which I feel is being questioned in an unfair manner. Please reconsider my situation as I will continue to fight the results of this exam."

Along with this email I have attached a privacy release form signed by (b) (6), (b) (7)(C) and a letter explaining the issue in his own words. In order to address the constituent's concerns, I respectfully request you furnish our office with any steps (b) (6), (b) (7)(C) could take towards resolution in this case and any actions that may be available to (b) (6), (b) (7)(C) to appeal the decision. Additionally, I request a copy of (b) (6), (b) (7)(C) polygraph test results and an explanation of process for denial of the polygraph test for the constituent's clarification and understanding of U.S. Customs and Border Patrol protocol.

I appreciate any assistance or guidance you may provide to (b) (6), (b) (7)(C) in resolving this issue. Should you have any questions regarding this request, please do not hesitate to contact me.

Sincerely Yours,



(b) (6)

Congressional Outreach Liaison
U.S. Rep. Martha McSally
Arizona's 2nd Congressional District
77 Calle Portal suite B160
Sierra Vista, AZ 85635
520-459-3115

(b) (6)

MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN

SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS, RESPONSE AND
COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1030 Longworth BUILDING
WASHINGTON, DC 20515
(202) 225-2542

DISTRICT OFFICES:
TUCSON OFFICE
4400 E. BROADWAY STE 510
TUCSON, AZ 85711
(520) 681-3568

COCHISE COUNTY OFFICE
77 CALLE PORTAL, SUITE B-160
SIERRA VISTA, AZ 85635
(520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.)

(b) (6), (b) (7)(C)

Address:

(b) (6), (b) (7)(C)

City, State:

(b) (6), (b) (7)(C)

Zip:

(b) (6), (b) (7)(C)

Phone Number:

(b) (6), (b) (7)(C)

E-mail Address:

(b) (6), (b) (7)(C)

Federal Agency Involved:

CBP

Social Security Number

(b) (6), (b) (7)(C)

Date and Place of Birth:

(b) (6), (b) (7)(C)

Have you contacted another congressional office? Yes: ☐ No: ☒ Who? _____

(For USCIS) Immigration Case Number / A#: _____

(For IRS) Tax Return Year (s) in Question: _____

(For OPM) Civil Service Claim Number: _____

(For VA/Military) Veterans Affairs Claim Number: _____

Branch of service: _____

Military Rank: _____

Dates of service: _____ - _____

SIGNATURE:

(b) (6), (b) (7)(C)

Date:

7/24/15

****Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case****

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I AM TRYING TO CONTEST THE RESULT OF A POLYGRAPH EXAM FOR CBP. I WAS COMPLETELY FORTHRIGHT WITH MY EXAMINER, I HAD NOTHING FROM MY PAST. I FEEL THAT THE EXAM ITSELF IS UNFAIR BEING THAT IT NOT SO UNRELIABLE, IT CANNOT BE USED IN COURT. HOW CAN IT THEN BE USED TO DETERMINE THE LIVELY HANDS OF A PERSON. I FEEL A COMPLETE BACKGROUND INVESTIGATION OF A PERSON WOULD BETTER IDENTIFY A VALID CANDIDATE. I AM HOPING TO HAVE A CHANCE TO CONTINUE THE PROCESS FOR CBP WITHOUT HAVING TO WAIT THE YEARS IT WOULD TAKE TO BECOME ELIGIBLE FOR RE-APPLYING. I FEEL THE POLYGRAPH EXAM SHOULD BE DONE AWAY WITH AS PART OF THE PRE-EMPLOYMENT PROCESS. ~~FOR~~ THERE ARE MANY GOOD PEOPLE OUT THERE THAT ARE BEING REJECTED BY A FALSE RESPONSE. MANY GOOD PEOPLE WHO JUST WANT TO SERVE THEIR COUNTRY.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

7/24/15

Date

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) on behalf of OCAINQUIRY
Sent: Wednesday, May 11, 2016 7:21 AM
To: CBPEXECSEC
Cc: OCAINQUIRY
Subject: Incoming Correspondence: 05-10-2016 MCSALLY (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C) OPM.PAC.4.20.16.pdf
Categories: (b) (7)(E)

OES,

Please provide an official response to the attached incoming. Thanks!

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs, U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W.

(b) (6), (b) (7)(C)

Washington, D.C. 20229

(b) (6), (b) (7)(C) (office)
(Blackberry)
(fax)

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Tuesday, May 10, 2016 5:45 PM
To: OCAINQUIRY
Subject: (b) (6)

Dear Congressional Liaison,

(b) (6), (b) (7)(C) contacted our office regarding a pending background investigation. (b) (6), (b) (7)(C) stated that she was hired as a civil service employee with your agency one year ago under a provisional appointment, pending a full back ground investigation and security clearance. Our office contacted the Office of Personnel Management (OPM) and we received the response attached. OPM informed our office that they sent the results to your office. We are respectfully requesting an update on behalf of (b) (6), (b) (7)(C). Any assistance you can provide would be greatly appreciated.

Sincerely,



(b) (6) MSW

Director of Constituent Services
U.S. Rep. Martha McSally
Arizona's 2nd Congressional District
4400 E. Broadway Blvd Suite 510
Tucson, AZ 85711
Office Phone: 520-881-3588

(b) (6)



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(b) (6), (b) (7)(C) please enter your date of birth and social security number, verify the rest of the information, print, sign and mail or fax the printed sheet(s) to the address/fax number below.

Date of Birth: **(b) (6), (b) (7)(C)**

Social Security Number **(b) (6), (b) (7)(C)**

Information from Step one:

Name: **(b) (6), (b) (7)(C)**

Agency Involved: **OPM, ICE, DHS, USBP**

Tax Years in Question (if applicable): **n/a**

Agency Case Number(s) (VA claim, Alien number, tax ID, etc.): **none**

Name: **(b) (6), (b) (7)(C)**

Branch of Service (If Applicable): **n/a**

Military Rank (If Applicable): **n/a**

Street Address: **(b) (6), (b) (7)(C)**

City, State, Zip Code: **(b) (6), (b) (7)(C)**

Telephone #: **(b) (6), (b) (7)(C)**

Email Address: **(b) (6), (b) (7)(C)**

I, **(b) (6), (b) (7)(C)** authorize the **OPM, ICE, DHS, USBP** to release personal information to Congresswoman Martha McSally United States Representative. I authorize Congresswoman Martha McSally to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

Nature of Problem: I was hired as a civil service employee with the US Border Patrol, **(b) (6), (b) (7)(C)** **(b) (6), (b) (7)(C)** one year ago under a provisional appointment, pending a full background investigation and security clearance. I have yet to receive my clearance or receive any information as to it's status. All my supervisors, and their supervisors have be unable to get information on the status of my clearance. I have been working in a law enforcement sensitive position, and have been unable to perform any of my duties because I do not have access to any of the data bases because I do not have my clearance. For months now, I have been sitting at a desk, doing absolutely nothing but waiting. Several new hires have joined my unit after me, and have been given full clearance, and access to all required programs, and are now fully functional. Their clearances only took 1-3 months to obtain. No one can tell me why mine is taking so long, or when I can expect it to be adjudicated. Besides the fact that this is causing me a tremendous amount of stress and anxiety, this is also a huge waste of federal funds that has been used to pay me for doing nothing, and a huge amount of money wasted on the time and effort that my supervisors have spent trying to get this resolved. Please help me get an answer as to where my clearance paperwork is, why is it not being processed, and why is it taking so long.

PLEASE NOTE:

The Privacy Act of 1974 requires that Members of Congress or their staff have written authorization before they can obtain information about an individual's case. We must have your signature to proceed with a casework inquiry.

Signature: _____

(b) (6), (b) (7)(C)

Date: 04/20/2016

Print, and then mail or fax your request to Congresswoman Martha McSally at the following address.

Office of Congresswoman Martha McSally
Attn: Constituent Services
4400 E Broadway Boulevard, Suite 510
Tucson, AZ 85711
Phone: (520) 881-3588
Fax: (520) 322-9490



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Federal Investigative
Services

May 6, 2016

The Honorable Martha McSally
U.S. House of Representatives
Attn: (b) (6)
4400 East Broadway Boulevard, Suite 510
Tucson, AZ 85711

Dear Representative McSally:

Your inquiry of April 22, 2016, was referred to my office for response on April 27, 2016. You requested information on behalf of your constituent, (b) (6), (b) (7)(C) concerning her security clearance to work for the U.S. Border Patrol.

The Office of Personnel Management (OPM) is the primary investigation service provider for the Federal Government, conducting 95 percent of the Government's background investigations for employment and security clearance determination purposes. Other investigation services providers include the FBI, CIA, and in (b) (6), (b) (7)(C) case, the Department of Homeland Security (DHS). We have an agreement with DHS to conduct the national agency checks required for their background investigations. DHS conducts the fieldwork portion of the investigation. On May 29, 2015, DHS notified our office that it had initiated a security investigation on (b) (6), (b) (7)(C) for a Border Patrol Officer. On July 17, 2015, DHS closed its investigation.

On May 28, 2015, we received a request from the DHS, U.S. Customs and Border Protection (CBP) to conduct a National Agency Check (NAC) on (b) (6), (b) (7)(C) for a civilian position. The NAC includes checks of investigation databases maintained by OPM, the FBI, and the Department of Defense; and a fingerprint-based criminal history check. The NAC remained open pending a response from the FBI. We received a response from the FBI, and on April 25, 2016, we completed the NAC and sent the results to the DHS CBP.

For information concerning the DHS investigation and (b) (6), (b) (7)(C) security clearance, please contact the agency at: Office of the Assistant Commissioner, Office of Congressional Affairs, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW, Washington, DC 20229, or by telephone: (b) (7)(E)

If you have any questions or need further assistance, please contact me at (b) (6)

Sincerely,

(b) (6)

Associate Director
Federal Investigative Services

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) on behalf of OCAINQUIRY
Sent: Wednesday, September 28, 2016 7:14 AM
To: CBPEXECSEC
Cc: OCAINQUIRY
Subject: Incoming Correspondence: 09-27-2016 MCSALLY (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: (b) (7)(E)

OES,

Please provide an official response to the attached incoming. Please reply with the folder ID to confirm receipt. Follow up inquiry to (b) (6), (b) (7)(C) Thank you.

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs | U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W. (b) (6), (b) (7)(C) Washington, D.C. 20229
(b) (6), (b) (7)(C)(office) | (b) (6), (b) (7)(C) Blackberry | (b) (6), (b) (7)(C)(fax)

(b) (6), (b) (7)(C)

From: (b) (6)
Sent: Tuesday, September 27, 2016 3:02 PM
To: OCAINQUIRY (b) (7)(E)
Subject: Inquiry (b) (6), (b) (7)(C)

Dear Congressional Liaison,

(b) (6), (b) (7)(C) contacted our office regarding his application to CBP. (b) (6), (b) (7)(C) states that he passed the final polygraph examination and completed the medical/physical examination, but was informed that he was being rejected due to his background investigation. (b) (6), (b) (7)(C) states that he completed the FOIA request and received information that pertained to him when he was 15-19 years of age. Our office is respectfully requesting that you respond to (b) (6), (b) (7)(C) concerns. Any assistance you can provide would be greatly appreciated.

Respectfully,



(b) (6) MSW
Director of Constituent Services
U.S. Rep. Martha McSally
Arizona's 2nd Congressional District
4400 E. Broadway Blvd Suite 510
Tucson, AZ 85711
Office Phone: 520-881-3588

(b) (6)



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MARTHA MCSALLY
2nd DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN

SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS, RESPONSE AND
COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1030 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-2542

DISTRICT OFFICES:
TUCSON OFFICE
4400 E. BROADWAY STE 510
TUCSON, AZ 85711
(520) 881-3588

COCHISE COUNTY OFFICE
77 CALLE PORTAL, SUITE B-160
SIERRA VISTA, AZ 85635
(520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.) (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C) City, State: Tucson, AZ Zip: 85741

Phone Number: (b) (6), (b) (7)(C) E-mail Address: (b) (6), (b) (7)(C)

Federal Agency Involved: CBP Social Security Number: (b) (6), (b) (7)(C)

Date and Place of Birth: (b) (6), (b) (7)(C)

Have you contacted another congressional office? Yes: No X Who?

(For USCIS) Immigration Case Number / A#:

(For IRS) Tax Return Year (s) in Question:

(For OPM) Civil Service Claim Number:

(For VA/Military) Veterans Affairs Claim Number:

Branch of service: Military Rank: Dates of service: -

SIGNATURE: (b) (6), (b) (7)(C) Date: 23 SEP 2016

****Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case****

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I have been going through the process to become a Border Patrol Agent for the past three years. I have had a few obstacles along the way, one of which required a congressional inquiry and a fresh reapplication for the position. Everything was going well, I had passed my final polygraph, completed the medical/physical, but I recently received a vague email from Customs and Border Protection rejecting me for my background investigation, stating that "a higher level background check was performed" no other info was provided other than the information for creating a FOIA request. I submitted a FOIA request and received the limited information almost 2 months later with a memorandum stating that I the applicant had received an "unfavorable suitability determination" due to three factors that all pertain to trivial illegal things I did when I was 15 - 19 years of age. I am now 26 years old and I'm a (b) (6), (b) (7)(C) and a (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) I have no criminal record, yet I'm being disqualified by this agency for admitting to doing some illegal things when I was a teenager during a polygraph examination. A polygraph examination that was later proven to be administered incorrectly by a CPB Polygraph Quality Control Examiner from the Office of Professional Responsibility, Credibility Assessment Division of CBP named (b) (6), (b) (7)(C) This background investigation was obviously rushed and no real research went in to the decision. I know for a fact that CPB hires agents and officers alike that have made poor decisions in their teenage years or worse, and much more recently. Basing a background check on something a person did 10+ years ago when they were a child is unrealistic. I'm requesting someone take a real look and do the same real background check any other BPA applicant would receive.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

23 SEP 2016

Date

(b) (6), (b) (7)(C)

From: CBPEXECSEC
Sent: Thursday, December 21, 2017 11:53 AM
To: (b) (6), (b) (7)(C)
Cc: CBPEXECSEC
Subject: FW: Incoming Correspondence: 12-19-2017 MCSALLY (b) (6), (b) (7)(C)
Attachments: (b) (6), (b) (7)(C) CBP.PAC.10.05.2017.pdf

Follow Up Flag: (b) (7)(E)
Flag Status: (b) (7)(E)

Please send to OPR to draft a response for OCA sig. Thanks

(b) (6), (b) (7)(C)

Senior Analyst/OES
Customs and Border Protection
Office of the Commissioner
1300 Pennsylvania Ave. NW, (b) (6), (b) (7)(C)
Washington, DC 20229
Desk (b) (6), (b) (7)(C)
Main Line: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) On Behalf Of OCAINQUIRY
Sent: Thursday, December 21, 2017 10:48 AM
To: CBPEXECSEC <CBPEXECSEC@cbp.dhs.gov>
Cc: OCAINQUIRY <OCAINQUIRY@cbp.dhs.gov>
Subject: Incoming Correspondence: 12-19-2017 MCSALLY (b) (6), (b) (7)(C)

OES,

Please provide an official response to the attached incoming. Please reply with the folder ID to confirm receipt. Thank you.

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs | U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W. (b) (6), (b) (7)(C) Washington, D.C. 20229
(b) (6), (b) (7)(C) (office) | (b) (6), (b) (7)(C) (cell) | (b) (6), (b) (7)(C) (fax) (b) (6), (b) (7)(C)

From: (b) (6)
Sent: Tuesday, December 19, 2017 5:59 PM
To: OCAINQUIRY (b) (7)(E)
Subject: Congressional Inquiry:

Dear Congressional Liaison,

(b) (6), (b) (7)(C) respectfully requests assistance with the status of his security clearance for employment with the Department of Homeland Security. We initially submitted this inquiry to the Office of Personnel Management, who referred us to your agency. Any assistance you can provide would be greatly appreciated, (b) (6), (b) (7)(C) privacy release is attached,

Sincerely,

(b) (6)

Constituent Services/ Community Outreach Representative

U.S. Rep. Martha McSally

Arizona's 2nd Congressional District

77 Calle Portal, Suite B-160

Sierra Vista, AZ, 85635

Office Phone: 520-459-3115

Fax: 520-459-5419

(b) (6)



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MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN

SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS, RESPONSE AND
COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1030 Longworth BUILDING
WASHINGTON, DC 20515
(202) 225-2542

DISTRICT OFFICES:
TUCSON OFFICE
4400 E. BROADWAY STE 510
TUCSON, AZ 85711
(520) 881-3588

COCHISE COUNTY OFFICE
77 CALLE PORTAL, SUITE B-160
SIERRA VISTA, AZ 85635
(520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.) **(b) (6), (b) (7)(C)**
Address: **(b) (6), (b) (7)(C)** City, State: **(b) (6), (b) (7)(C)** Zip: **(b) (6), (b) (7)(C)**
Phone Number: **(b) (6), (b) (7)(C)** E-mail Address: **(b) (6), (b) (7)(C)**
Federal Agency Involved: **OPM** Social Security Number: **(b) (6), (b) (7)(C)**
Date and Place of Birth: **(b) (6), (b) (7)(C)**
Have you contacted another congressional office? Yes: No **X** Who?
(For USCIS) Immigration Case Number / A#: **N/A**
(For IRS) Tax Return Year (s) in Question: **N/A**
(For OPM) Civil Service Claim Number: **N/A**
(For VA/Military) Veterans Affairs Claim Number: **N/A**
Branch of service: **Army** Military Rank: **SSG** Dates of service: **(b) (6), (b) (7)(C)**
SIGNATURE: **(b) (6), (b) (7)(C)** Date: **30 SEPTEMBER 2017**

****Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case****

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I already talked to (b) (6), (b) (7)(C) about most of it but the issues is that i was discharged out of the military and while i was in i had a TS/SCI.

I am trying to find out where is the clearance at an what is the status of the clearance for the job that i am trying to obtain through the DHS with Customs.

I am asking for assistance in seeing if the issue has been resolve and what is the outcome.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

30 SEPTEMBER 2017

Date

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) on behalf of OCAINQUIRY
Sent: Friday, July 24, 2015 10:39 AM
To: CBPEXECSEC
Cc: OCAINQUIRY; (b) (6), (b) (7)(C)
Subject: Incoming Correspondence: Inquiry from Rep. McSally office AZ 02
Attachments: (b) (6), (b) (7)(C)PAC.pdf; (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)Supporting Docs.pdf

OES,

Please provide an official response to the attached inquiry. Thanks!

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs, U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W.

(b) (6), (b) (7)(C)

Washington, D.C. 20229

(b) (6), (b) (7)(C) (office)
(b) (6), (b) (7)(C) (Blackberry)
(b) (6), (b) (7)(C) (fax)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Friday, July 24, 2015 10:22 AM
To: (b) (6), (b) (7)(C)
Cc: OCAINQUIRY
Subject: FW: Inquiry from Rep. McSally office AZ 02

(b) (6), (b) (7)(C) Looping in (b) (6), (b) (7)(C) this case as it should have gone to BAMO. Constituent complains about a penalty assessed on her after an incident with the Border Patrol.

(b) (6), (b) (7)(C) I've looked this over and also looked up the FP&F Case No. on this. My suggestion is that this go down for written – there is no immediate advise that we need to give the constituent on her FP&F case.

From: (b) (6), (b) (7)(C) On Behalf Of OCAINQUIRY
Sent: Monday, July 20, 2015 9:49 AM
To: (b) (6), (b) (7)(C)
Cc: OCAINQUIRY
Subject: FW: Inquiry from Rep. McSally office AZ 02

(b) (6), (b) (7)(C)

Please review the attached inquiry. Thanks!

V/R,

(b) (6), (b) (7)(C)

Office of Congressional Affairs, U.S. Customs and Border Protection
1300 Pennsylvania Ave N.W.

(b) (6), (b) (7)(C)

Washington, D.C. 20229

(b) (6), (b) (7)(C) office)

Blackberry)

fax)

(b) (6), (b) (7)(C)

From (b) (6)

Sent: Friday, July 17, 2015 4:21 PM

To: OCAINQUIRY

Subject: Inquiry from Rep. McSally office AZ 02

Dear Congressional Liaison,

I am writing on behalf of constituent (b) (6), (b) (7)(C) who is concerned about her denial to waive a Notice of Penalty or Liquidated Damages Incurred and Demand for Payment sent by the U.S. Custom and Border Protection. The constituent stated she does not believe she has committed any wrongdoing and has been denied due process in this assessment of penalty.

Along with this email I have attached a privacy release form signed by (b) (6), (b) (7)(C) and a letter explaining the issue in her own words both in hand written form with the PAC attachment and in further detail under supporting documents. I have also provided a (b) (6), (b) (7)(C) report that was filed in conjunction with the incident in question and an attachment of supporting documents, to include a letter written by the (b) (6), (b) (7)(C) in order to address the constituent's concerns, I respectfully request you furnish our office with any steps (b) (6), (b) (7)(C) could take towards resolution in this case. Additionally, I request an explanation of the justification and process for assessing the penalties, such as (b) (6), (b) (7)(C) has been assessed, for the constituent's clarification and understanding of U.S. Customs and Border Patrol protocol.

I appreciate any assistance or guidance you may provide to (b) (6), (b) (7)(C) in resolving this issue. Should you have any questions regarding this request, please do not hesitate to contact me.

Sincerely Yours,



(b) (6)

Congressional Outreach Liaison
U.S. Rep. Martha McSally
Arizona's 2nd Congressional District
77 Calle Portal suite B160
Sierra Vista, AZ 85635
520-459-3115

(b) (6)

DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION		CASE NUMBER F01 (b) (6), (b) (7)(C)	
NOTICE OF PENALTY OR LIQUIDATED DAMAGES INCURRED AND DEMAND FOR PAYMENT		PORT CODE AND NAME (b) (6), (b) (7)(C)	
19 USC 1518, 19 USC 1623		INVESTIGATION FILE NO.	
(b) (6), (b) (7)(C)			
DEMAND IS HEREBY MADE FOR PAYMENT OF \$5,000.00, REPRESENTING PENALTIES ASSESSED AGAINST YOU FOR VIOLATION OF LAW OR REGULATION, OR BREACH OF BOND, AS SET FORTH BELOW: ON JUNE 30, 2014, (b) (6), (b) (7)(C) APPROACHED THE PRIMARY NORTHBOUND INSPECTION LANE AT THE US BORDER PATROL IMMIGRATION CHECKPOINT LOCATED (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) AFTER INITIAL QUESTIONING, (b) (6), (b) (7)(C) WAS DIRECTED TO THE CHECKPOINT'S SECONDARY INSPECTION AREA. (b) (6), (b) (7)(C) REFUSED REPEATEDLY TO OBEY THE AGENT'S COMMANDS AND ACCELERATED NORTHBOUND ON (b) (6), (b) (7)(C) WITHOUT BEING RELEASED BY INSPECTING AGENTS. BORDER PATROL INITIATED A VEHICLE PURSUIT AND (b) (6), (b) (7)(C) REFUSED TO YIELD TO BORDER PATROL AGENTS LIGHTS AND SIRENS (b) (6), (b) (7)(C) DROVE TO (b) (6), (b) (7)(C) WHERE SHE STOPPED AND REFUSED TO EXIT HER VEHICLE. ONCE A (b) (6), (b) (7)(C) OFFICER ARRIVED AT THE SCENE, SHE COMPLIED WITH THE OFFICER'S ORDERS. (b) (6), (b) (7)(C) WAS NOT CIT OTHER PENALTY VIOLATION			
LAW OR REGULATION VIOLATED OTHERPEN 19USC1581		BOND BREACHED BOND TYPE: BOND#:	
DESCRIPTION OF BOND:	FORM NUMBER:	AMOUNT:	DATE:
NAME AND ADDRESS OF PRINCIPAL ON BOND			
NAME AND ADDRESS OF SURETY ON BOND			SURETY NO.
IF YOU FEEL THERE ARE EXTENUATING CIRCUMSTANCES, YOU HAVE THE RIGHT TO OBJECT TO THE ABOVE ACTION. YOUR PETITION SHOULD EXPLAIN WHY YOU SHOULD NOT BE PENALIZED FOR THE CITED VIOLATION. WRITE THE PETITION AS A LETTER OR IN LEGAL FORM; SUBMIT IN (DUPLICATE) ADDRESSED TO THE COMMISSIONER OF CUSTOMS AND BORDER PROTECTION, AND FORWARD TO THE PP&F OFFICER AT: U.S. CBP / ATTN:PP (b) (7)(E)			
UNLESS THE AMOUNT HEREIN DEMANDED IS PAID OR A PETITION FOR RELIEF IS FILED WITH THE PP&F OFFICER WITHIN THE INDICATED TIME LIMIT, FURTHER ACTION WILL BE TAKEN IN CONNECTION WITH BOND OR MATTER WILL BE REFERRED TO US ATTORNEY. TIME LIMIT FOR PAYMENT OR FILING PETITION: 60 DAYS FROM DATE OF THIS NOTICE.			
SIGNATURE: (b) (6), (b) (7)(C)		TITLE PP&F OFFICER (b) (6), (b) (7)(C)	DATE 07/16/2014



The ACLU's Border Litigation Project
investigates, documents, and litigates
civil and human rights violations
in the U.S.-Mexico border region.

September 10, 2014

VIA CERTIFIED U.S. MAIL:

Gil Kerlikowske
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Re: Petition for Relief - Case Number (b) (6), (b) (7)(C)

To Whom It May Concern:

We write to object to the July 16, 2014 Notice of Penalty or Liquidated Damages Incurred and Demand for Payment ("Notice") sent by U.S. Customs and Border Protection ("CBP") to (b) (6), (b) (7)(C) and attached herein. Specifically, we seek to correct several misstatements and omissions of fact on which the Notice appears to rely. We also note the inapplicability of U.S.C. §1581 to the facts of this case.

On June 30, 2014, (b) (6), (b) (7)(C) arrived to the U.S. Border Patrol checkpoint on (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). At the checkpoint, (b) (6), (b) (7)(C) vehicle came to a full stop. She was addressed by the inspecting agent and answered a series of questions confirming her citizenship. Following those questions, and after (b) (6), (b) (7)(C) objected to being directed to a secondary inspection area, the inspecting agent walked away. Reasonably believing she was free to go, (b) (6), (b) (7)(C) departed the checkpoint area, not exceeding the posted speed limit, and proceeded homeward. At some point, (b) (6), (b) (7)(C) noticed several Border Patrol vehicles in pursuit. She dialed 9-1-1. When she arrived to her home, (b) (6), (b) (7)(C) was surrounded by agents until a (b) (6), (b) (7)(C) arrived. After agents performed a search of her vehicle without her consent, (b) (6), (b) (7)(C) was informed that she was free to go.

The Notice is therefore incorrect when it states that (b) (6), (b) (7)(C) "refused repeatedly to obey the agent's commands and accelerated northbound on (b) (6), (b) (7)(C) without being released by inspecting agents." The Notice also states that (b) (6), (b) (7)(C) then "refused to yield." These statements are misleading and omit key details. After responding to a series of questions confirming her citizenship and objecting to a secondary inspection, (b) (6), (b) (7)(C) departed the checkpoint. She did so, however, only after the inspecting agent walked away, at which point (b) (6), (b) (7)(C) reasonably believed that she was free to go. (b) (6), (b) (7)(C) herself dialed 9-1-1 and

requested assistance when she saw Border Patrol vehicles behind her, and continued to her home where a (b) (6), (b) (7)(C) arrived on the scene. Neither Border Patrol nor the (b) (6), (b) (7)(C) who responded cited or arrested (b) (6), (b) (7)(C)

19 USC §1581(d) provides: "Any vessel or vehicle which, at any authorized place, is directed to come to a stop by any officer of the customs...shall come to a stop, and upon failure to comply a vessel or vehicle so directed to come to a stop shall become subject to pursuit and the master, owner, operator, or person in charge thereof shall be liable to a penalty of not more than \$5,000 nor less than \$1,000." (emphasis added.) 19 USC §1581(d) plainly applies to situations in which a vehicle has failed to comply with a direction to stop. Here, as the Notice acknowledges, (b) (6), (b) (7)(C) did come to a stop when she was subjected to "initial questioning" by agents, before departing under the reasonable belief that the questioning was complete because the inspecting agent had walked away. She then drove to the short distance to her home. When she saw agents' vehicles behind her, she dialed 9-1-1 before arriving to her home. At no point did (b) (6), (b) (7)(C) fail to comply with a direction to stop, and 19 USC §1581 is therefore inapplicable.

(b) (6), (b) (7)(C) had no reason to abscond from the checkpoint on June 30. (b) (6), (b) (7)(C) is a government employee who passes through the same checkpoint on a regular basis and has done so on numerous occasions without incident. On all prior occasions, when agents have completed questioning, (b) (6), (b) (7)(C) has departed without incident. (b) (6), (b) (7)(C) had no reason to believe the result would be any different on June 30 than on numerous prior occasions.

For the foregoing reasons, the Notice should be withdrawn. If you have any questions, please contact me at (b) (6), (b) (7)(C) We await your prompt reply.

Sincerely

(b) (6), (b) (7)(C)

Staff Attorney
ACLU of Arizona
PO Box 17148
Phoenix, AZ 85011

Enclosure as indicated

Copy with enclosure to:
"FP&F Officer"
U.S. Customs and Border Protection

(b) (7)(E)

(b) (7)(E)



U.S. Customs and
Border Protection

November 20, 2014

COLLECTION CODE 327

(b) (6), (b) (7)(C)

ACLU of Arizona
P.O. Box 17148
Phoenix, Arizona 85011

RECEIVED
DEC 05 2014

RE: Case Number (b) (6), (b) (7)(C)
Client: (b) (6), (b) (7)(C)

BY:

Dear (b) (6), (b) (7)(C)

This letter is in response to your petition we received September 11, 2014, filed in the above-cited case. You request relief from a penalty that was issued in the amount of \$5,000.00, which was assessed under the provisions of Title 19, U.S.C. §1581.

In your petition for relief, you indicated that your client had a reasonable belief that she was free to depart the U.S. Border Patrol checkpoint on (b) (6), (b) (7)(C) on June 30, 2014, because the inspecting agent had walked away. As well, you stated that you believe 19 U.S.C. §1581 does not apply to your client because she initially stopped for inspecting agents, and after answering the agent's questions and believing the questioning was complete, she was free to depart.

Upon further review of the circumstances surrounding this case, we believe your assertions regarding any true misunderstanding to be without merit. Nevertheless, after conferring with the Border Patrol, we recognize that U.S. Customs and Border Protection did not incur a monetary loss as a result of your client's actions on June 30, 2014. Furthermore, our records do not indicate that your client has any prior violations of this type. Thus, it has been determined that this penalty will be modified to \$1,000.00. Please advise your client that future violations of this type could result in a more severe penalty amount.

You have up to 60 days from the date of this notice to pay the penalty amount of \$1,000.00, to arrange for such payment to be made, or to file a supplemental petition in accordance with regulation. Otherwise, we will promptly refer this matter for further collection action.

Your payment should be made in the form of a cashier's check or money order payable to the Customs and Border Protection, and mailed along with a copy of this letter to (b) (7)(E) (b) (7)(E) Attn: Cashier, within 30 days from the date of this letter.

(b) (6), (b) (7)(C)

Page 2

If you choose to send a company check, you must adhere to the following:
Pursuant to title 19, Code of Federal Regulations, part 24.1, Collection of Customs Duties, Taxes, Fees, Interest, and Other Charges, you are required to include the payer's social security number (SSN) or Taxpayers Identifying Number (TIN) for personal checks or an Employee Identification Number (EIN) for company checks on the face side of checks that are accepted for payment by CBP. The SSN, TIN or EIN must be for the account the check is drawn on (e.g., if a broker pays liquidated damages for an importer with the broker's check, the EIN on the check must be the Broker's). Please note that if the SSN, TIN or EIN numbers are not present on the face of the checks, the checks may be returned to you and you may not be given credit for timely submission of payment, and may be liable for increased penalties.

If we do not receive your payment within the specified time period, we will refer the case for collection action. Should you have any questions please contact **(b) (6), (b) (7)(C)** Paralegal Specialist, at **(b) (6), (b) (7)(C)**

Sincerely,

(b) (6), (b) (7)(C)

Fines, Penalties & Forfeitures Officer

CN: **(b) (6), (b) (7)(C)**

Penalty Amount: \$1,000.00 - Collection Code: **(b) (7)(E)**

ATTN: CASHIER - PLEASE SEND COPY OF RECEIPT TO FPF OFFICE

DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION		CASE NUMBER F02 (b) (6), (b) (7)(C)	
NOTICE OF PENALTY OR LIQUIDATED DAMAGES INCURRED AND DEMAND FOR PAYMENT		PORT CODE AND NAME (b) (6), (b) (7)(C)	
19 USC 1618, 19 USC 1623 (b) (6), (b) (7)(C)		INVESTIGATION FILE NO.	
DEMAND IS HEREBY MADE FOR PAYMENT OF \$1,000.00, REPRESENTING PENALTIES ASSESSED AGAINST YOU FOR VIOLATION OF LAW OR REGULATION, OR BREACH OF BOND, AS SET FORTH BELOW: ON JUNE 30, 2014, (b) (6), (b) (7)(C) APPROACHED THE PRIMARY NORTHBOUND INSP ECTION LANE AT THE US BORDER PATROL IMMIGRATION CHECKPOINT LOCATED ON (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) AFTER INITIAL QUESTIONING, (b) (6), (b) (7)(C) WAS DIRECTED T O THE CHECKPOINT'S SECONDARY INSPECTION AREA. (b) (6), (b) (7)(C) REFUSED REPEATEDLY TO O BEY THE AGENT'S COMMANDS AND ACCELERATED NORTHBOUND ON (b) (6), (b) (7)(C) WITHOUT BEING RELEASED BY INSPECTING AGENTS. BORDER PATROL INITIATED A VEHICLE PURSUI T AND (b) (6), (b) (7)(C) REFUSED TO YIELD TO BORDER PATROL AGENTS LIGHTS AND SIRENS (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) WHERE SHE STOPPED AND REFUSED TO EXIT HER VEHICLE. ONCE A (b) (6), (b) (7)(C) OFFICER ARRI VED AT THE SCENE, SHE COMPLIED WITH THE OFFICER'S ORDERS. (b) (6), (b) (7)(C) WAS NOT CIT OTHER PENALTY VIOLATION			
LAW OR REGULATION VIOLATED OTHERPEN 19USC1581		BOND BREACHED BOND TYPE: BOND#:	
DESCRIPTION OF BOND:	FORM NUMBER:	AMOUNT:	DATE:
NAME AND ADDRESS OF PRINCIPAL ON BOND			
NAME AND ADDRESS OF SURETY ON BOND			SURETY NO.
IF YOU FEEL THERE ARE EXTENUATING CIRCUMSTANCES, YOU HAVE THE RIGHT TO OBJECT TO THE ABOVE ACTION. YOUR PETITION SHOULD EXPLAIN WHY YOU SHOULD NOT BE PENALIZED FOR THE CITED VIOLATION. WRITE THE PETITION AS A LETTER OR IN LEGAL FORM; SUBMIT IN (DUPLICATE) ADDRESSED TO THE COMMISSIONER OF CUSTOMS AND BORDER PROTECTION, AND FORWARD TO THE FP&F OFFICER AT: U.S. CBP / ATTN:FP &FO, (b) (7)(E)			
UNLESS THE AMOUNT HEREIN DEMANDED IS PAID OR A PETITION FOR RELIEF IS FILED WITH THE FP&F OFFICER WITHIN THE INDICATED TIME LIMIT, FURTHER ACTION WILL BE TAKEN IN CONNECTION WITH BOND OR MATTER WILL BE REFERRED TO US ATTORNEY. TIME LIMIT FOR PAYMENT OR FILING PETITION: 60 DAYS FROM DATE OF THIS NOTICE.			
(b) (6), (b) (7)(C) BY		TITLE FP&F OFFICER (b) (6), (b) (7)(C)	DATE 11/22/2014 (07/16/2014)

January 27, 2015

Gil Kerlikowske
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Re: Supplemental Petition for Relief- Case Number (b) (6), (b) (7)(C)

To Whom It May Concern:

As stated in my first petition of relief, I did nothing wrong on June 30, 2014 when I stopped at the U.S. Border Patrol checkpoint (b) (6), (b) (7)(C). At the checkpoint I came to a full stop, answered questions confirming my citizenship, objected to being directed to secondary inspection and departed the checkpoint when the agents turned from my vehicle and walked away.

My residence at (b) (6), (b) (7)(C) is approximately five miles west of the U.S. Border Patrol checkpoint on (b) (6), (b) (7)(C). I have lived at this address for eighteen years. Because of my proximity to this checkpoint I have passed through thousands of times. Agents are generally polite and respectful when I pass through but on several occasions both myself and my daughter have encountered tyrannical agents who find it necessary to scare and verbally assault us for no reason, as was the case on June 30, 2014.

I am well aware that the agents have the right to ask questions pertaining to citizenship and that they have the right to search vehicles with a reasonable cause. On June 30, I answered the agents' questions confirming my citizenship, I then objected to being directed to secondary inspection because no cause was stated as to why I was being directed to secondary inspection. I drive a (b) (6), (b) (7)(C) of which agents are able to clearly see through all of the windows to ascertain that I was not transporting any other person. The agents had no reason to ask me to pull over, they also had no reason to bully me and treat me so terribly.

My statements about June 30, 2014 in both the first petition as well as in this secondary petition for relief are the truth.

I once again ask that the Notice of Penalty be withdrawn. If the Notice is not withdrawn then I request that this matter be heard in court.

Sincerely,

(b) (6), (b) (7)(C)

(b) (7)(E)



U.S. Customs and
Border Protection

May 6, 2015

COLLECTION CODE 327

(b) (6), (b) (7)(C)

Re: Case Number (b) (6), (b) (7)(C)

Dear (b) (6), (b) (7)(C)

This letter is in response to your petition received January 30, 2015, filed in the above-cited case. You request relief from a penalty that was issued in the amount of \$1,000.00, which was assessed under the provisions of Title 19, U.S.C. §1581.

Please note that on July 16, 2014, a penalty in the amount of \$5,000.00 was issued to you because you failed to stop when order to do so by a Customs and Border Protection officer. On November 20, 2014, this office considered your petition. A new penalty notice for \$1,000.00 was issued on November 22, 2014. When the penalty amount was modified, this started your petitioning process over. Thus, your correspondence received January 30, 2015, will be considered a petition for the \$1,000.00 penalty assessment.

Upon further review of the circumstances surrounding this case, it is our decision to deny your petition because you have not presented any information that has not already been considered in your petition of July 16, 2014. You request that if this matter is not withdrawn that this matter be heard in court. The due process on this type of penalty does not afford you an opportunity to be heard in court.

You do have an opportunity to file a supplemental petition. Your supplemental petition must be filed timely within 60 days from the date of this letter. If your supplemental petition is not filed within 60 days from the date of this letter, one will not be accepted, and we will promptly refer this matter for further collection action.

Or, should you choose to pay the penalty, your payment should be made in the form of a cashier's check or money order payable to the Customs and Border Protection, and mailed along with a copy of this letter to (b) (7)(E)
Attn: Cashier, within 30 days from the date of this letter.

(b) (6), (b) (7)(C)

Page 2

If you choose to send a company check, you must adhere to the following:

Pursuant to title 19, Code of Federal Regulations, part 24.1, Collection of Customs Duties, Taxes, Fees, Interest, and Other Charges, you are required to include the payer's social security number (SSN) or Taxpayers Identifying Number (TIN) for personal checks or an Employee Identification Number (EIN) for company checks on the face side of checks that are accepted for payment by CBP.

The SSN, TIN or EIN must be for the account the check is drawn on (e.g., if a broker pays liquidated damages for an importer with the broker's check, the EIN on the check must be the Broker's). Please note that if the SSN, TIN or EIN numbers are not present on the face of the checks, the checks may be returned to you and you may not be given credit for timely submission of payment, and may be liable for increased penalties.

If we do not receive your payment within the specified time period, we will refer the case for collection action. Should you have any questions please contact **(b) (6), (b) (7)(C)** Paralegal Specialist, at **(b) (6), (b) (7)(C)**

Sincerely,

(b) (6), (b) (7)(C)

Fines, Penalties & Forfeitures Officer

CN: **(b) (6), (b) (7)(C)**

Penalty Amount: \$1,000.00 - Collection Code: **(b) (7)(E)**

ATTN: CASHIER - PLEASE SEND COPY OF RECEIPT TO FPF OFFICE

June 22, 2015

Gil Kerlikowske
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Re: Petition for Relief- Case Number (b) (6), (b) (7)(C)

To Whom It May Concern:

I write to object to the July 16, 2014 and to the November 22, 2014 Notice of Penalty or Liquidated Damages Incurred and Demand for Payment ("Notice") sent by U.S. Customs and Border Protection. Specifically, I request that the information in this petition as well as the information I have provided in my previous petitions be heard from myself by a Federal Magistrate and that due process be adhered to as directed in The Constitution of The United States. I also note the inapplicability of U.S.C. ¶1581 to the facts of this case.

I have arbitrarily and unfairly been deprived the basic right of due process. Due process is defined as; "The constitutional guarantee of due process of law, found in the Fifth and Fourteenth Amendments to the U.S. Constitution, prohibits all levels of government from arbitrarily or unfairly depriving individuals of their basic constitutional rights to life, liberty, and property. *A fundamental, constitutional guarantee that all legal proceedings will be fair and that one will be given notice of the proceedings and an opportunity to be heard before the government acts to take away one's life, liberty, or property.*" (Copyright © 1981-2005 by Gerald N. Hill and Kathleen T. Hill. All Right reserved. Never have I been given notice of any proceedings and I certainly have not been heard, BEFORE being given this penalty which seeks to take away my liberty and my property. U.S. Customs and Border Protection also unfairly and arbitrarily informed my employer of this penalty BEFORE anything has been proven, seeking to take away my liberty and life and property. Due process has not been adhered to and I demand to be treated fairly as it is directed in the Fifth and Fourteenth Amendments to the U.S. Constitution.

Next, I would like to point out once again, that I was never cited or arrested by either the (b) (6), (b) (7)(C) whom I, myself called for protection, or by the U.S. Customs and Border Protection on June 30, 2014. The U.S.C. ¶1581 is inapplicable to the facts of this case. As I have pointed out before in my previous petitions, I did nothing wrong on June 30, 2014. U. S. Customs and Border Protection never had cause to search my truck and they certainly never had cause to chase after me. U.S. Customs and Border Protection did not state any probable cause because they did not have any probable cause. If there is evidence to the contrary I demand that it be heard in a Federal court of law.

I have submitted enough evidence for the withdrawal of this penalty and I request that the information in this petition as well as the information I have provided in my previous petitions be

heard from myself by a Federal Magistrate and that due process be adhered to as directed in The Constitution of The United States

Sincerely,

(b) (6), (b) (7)(C)

Cc: Congresswomen Martha McSally, Sierra Vista Arizona

MARTHA MCSALLY
2ND DISTRICT, ARIZONA

COMMITTEE ON HOMELAND SECURITY

CHAIRMAN

SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS, RESPONSE AND
COMMUNICATIONS

COMMITTEE ON ARMED SERVICES



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1030 Longworth Building
WASHINGTON, DC 20515
(202) 225-2842

DISTRICT OFFICES:
TUCSON OFFICE
4400 E. BROADWAY STE 510
TUCSON, AZ 85711
(520) 881-3588

COCHISE COUNTY OFFICE
77 CALLE PORTAL, SUITE B-160
SIERRA VISTA, AZ 85835
(520) 459-3115

Privacy Act Consent Form

In accordance with the provisions of Public Law 93-579 (Privacy Act of 1974), I hereby give my consent for information concerning my file to be furnished to my US Representative, Martha McSally. I have discussed my case with Congresswoman McSally and/or her representative(s) and request that any relevant information she might require in order to assist in responding to my inquiry be provided to her in accordance within the provisions of the law.

Full Name: (Mr./Mrs./Ms.) (b) (6), (b) (7)(C)

Address: (b) (6), (b) (7)(C) City, State: (b) (6), (b) (7)(C) Zip: (b) (6), (b) (7)(C)

Phone Number: (b) (6), (b) (7)(C) E-mail Address: (b) (6), (b) (7)(C)

Federal Agency Involved: U.S. CBP Social Security Number: _____ - _____ - _____

Date and Place of Birth: (b) (6), (b) (7)(C)

Have you contacted another congressional office? Yes: _____ No X Who? _____

(For USCIS) Immigration Case Number / A#: _____

(For IRS) Tax Return Year (s) in Question: _____

(For OPM) Civil Service Claim Number: _____

(For VA/Military) Veterans Affairs Claim Number: _____

Branch of service: _____ Military Rank: _____ Dates of service: _____ - _____

SIGNATURE: (b) (6), (b) (7)(C) Date: 6-25-15

****Please fill out reverse side of this form, or attach a separate sheet describing the details of your situation along with copies of documentation pertaining to your case****

Please return completed form to:

Congresswoman Martha McSally
4400 E. Broadway, Ste 510
Tucson, AZ 85711
Fax: (520) 322.9490

Or

Congresswoman Martha McSally
77 Calle Portal, Suite B-160
Sierra Vista, AZ 85635
Fax: (520) 459.5419

Please provide a brief description of your problem:

Dear Congresswoman Martha McSally:

I have been wrongfully accused of a violation and received a notice of penalty with no opportunity to be heard in the court of law.

Subsequently, I have sent in petitions for relief asking for the withdrawal of this penalty and/or for the right to be heard in court, all of which have been denied. I believe the violation, the denials of my petitions, the denials to be heard in the court of law and the notice of penalty are arbitrary and unfair and I would like to ask for your help on this matter.

Sincerely,

(b) (6), (b) (7)(C)

Print Name

(b) (6), (b) (7)(C)

Date

June 25, 2015

07/21/14
13:50

(b) (6), (b) (7)(C)

CALL DETAIL REPORT

Page: 1104
1

Call Number: (b) (6), (b) (7)(C)

Nature: Information
Reported: 18:14:04 06/30/14
Rcvd By: (b) (6), (b) (7)(C) How Rcvd: O
Occ Btwn: 18:13:05 06/30/14 and 18:13:05 06/30/14
Type: 1
Priority: 1

Address: (b) (6), (b) (7)(C)
City: (b) (6), (b) (7)(C)

Alarm:

COMPLAINANT/CONTACT

Complainant: (b) (6), (b) (7)(C) Name#: (b) (6), (b) (7)(C)
Race: Sex: DOB: **/**/**
Address: (b) (6), (b) (7)(C)
Home Phone: (b) (6), (b) (7)(C) Work Phone: () -

Contact: Dispatch
Address:
Phone: () -

RADIO LOG

Dispatcher	Time/Date	Unit	Code	Zone	Agnc	Description
(b) (6), (b) (7)(C)	18:14:04 06/30/14	(b) (7)(E)	(b) (7)(E)	(b) (6), (b) (7)(C)	(b) (7)(E)	(b) (6), (b) (7)(C), (b) (7)(E)
(b) (6), (b) (7)(C)	18:50:09 06/30/14					
(b) (6), (b) (7)(C)	18:50:10 06/30/14					
(b) (6), (b) (7)(C)	18:58:21 06/30/14					

COMMENTS

(b) (6), (b) (7)(C) pulled for assist with a failure to yield for USBP from the (b) (6), (b) (7)(C) Checkpoint.
18:58:20 06/30/2014 - (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) called 911 to request assistance from (b) (6), (b) (7)(C) due to the fact that Border Patrol was attempting to stop her. (b) (6), (b) (7)(C) refused to stop because she is afraid of Border Patrol. Border Patrol advised they were going to send a case to U.S. Attorney because (b) (6), (b) (7)(C) did not go to secondary inspection as she was instructed to. No Further action was taken by (b) (6), (b) (7)(C) NFI.

(b) (6), (b) (7)(C) Mon Jun 30 19:50:27 MST 2014

UNIT HISTORY

Unit Time/Date Code

(b) (6), (b) (7)(C)

OFFICIAL COPY

07/21/14
13:50

(b) (6), (b) (7)(C)
CALL DETAIL REPORT

Page: 1104
2

(b) (6), (b) (7)(C), (b) (7)(E)

18:14:04 06/30/14
18:50:09 06/30/14
18:50:10 06/30/14
18:58:21 06/30/14

(b) (7)(E)

RESPONDING OFFICERS

Unit Officer

(b) (6), (b) (7)(C)

INVOLVEMENTS

Type Record# Date Description Relationship

(b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C)

OFFICIAL COPY